

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

JACK O'BRIEN and JOSHUA DENT, individually
and on behalf of all others similarly situated,

: 06 Civ. 14337 (SCR)

Plaintiffs,

ORDER

-against-

EDWARD D. JONES & CO., L.P.,

Defendant.

X

STEPHEN C. ROBINSON, U.S. District Judge:

Plaintiffs filed this class action complaint on December 11, 2006 alleging violations of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, and various New York State statutes. On April 6, 2007, the parties submitted a joint motion to transfer venue to the Western District of Pennsylvania pursuant to 28 U.S.C. § 1404(a). According to that statute, “for the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.” 28 U.S.C. § 1404(a). As a threshold matter, because this Court finds that venue is proper in the Western District of Pennsylvania, this Court has the statutory discretion to transfer the case.

This Court has broad discretion to determine whether transfer is warranted pursuant to 28 U.S.C. § 1404(a), *see, e.g.*, D.H. Blair & Co., Inc. v. Gottdiener, 462 F.3d 95, 106 (2d Cir. 2006), and has considered the nine factors generally analyzed by courts within the Second Circuit in deciding motions to transfer venue. *See, e.g.*, Am. S.S. Owners Mut. Prot. & Indem. Ass'n v. Lafarge N. Am., Inc., No. 06 Civ. 3123 (CSH), 2007 U.S. Dist. LEXIS 3652, *12-14 (S.D.N.Y. Jan. 16, 2007). In view of these factors and the reasoning set forth in the motion papers, the parties’ joint motion to transfer venue is GRANTED. This case is hereby TRANSFERRED to the Western District of Pennsylvania for all further proceedings.

IT IS HEREBY ORDERED THAT:

1. Parties’ Joint Motion to Transfer Venue is GRANTED.
2. This case is TRANSFERRED to the Western District of Pennsylvania for all further proceedings.

The Clerk of the Court of the Southern District of New York is directed to close this case.

Dated: April 13, 2007
White Plains, New York

Stephen C. Robinson
United States District Judge

